
SENATE BILL No. 452

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-11.6-4-2; IC 33-11.6-4-3.

Synopsis: Marion County small claims court jurisdiction. Increases the jurisdictional limit of the Marion County small claims court from \$6,000 to \$10,000 for actions founded on contract except for actions founded on a contract between a landlord and a tenant.

Effective: July 1, 2004; July 1, 2005.

Clark

January 12, 2004, read first time and referred to Committee on Judiciary.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 452

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-11.6-4-2, AS AMENDED BY P.L.167-2003,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2005]: Sec. 2. **(a)** The court shall have original and concurrent
4 jurisdiction with the circuit and superior courts in all civil cases
5 founded on contract or tort in which the debt or damage claimed does
6 not exceed six thousand dollars (\$6,000), not including interest or
7 attorney's fees.

8 **(b) Except as provided in section 3 of this chapter, the court**
9 **shall have original and concurrent jurisdiction with the circuit and**
10 **superior courts in all civil cases that are founded on contract in**
11 **which the debt claimed does not exceed ten thousand dollars**
12 **(\$10,000), not including interest or attorney's fees.**

13 SECTION 2. IC 33-11.6-4-3, AS AMENDED BY P.L.167-2003,
14 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2005] Sec. 3. The court shall have original and concurrent
16 jurisdiction with the circuit and superior courts in:

17 **(1)** possessory actions between landlord and tenant in which the



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1 past due rent; and

2 **(2) other civil actions founded on a contract to rent or lease real**
 3 **property in which the debt claimed;**

4 at the time of filing does not exceed six thousand dollars (\$6,000). The
 5 court shall also have original and concurrent jurisdiction with the
 6 circuit and superior courts in actions for the possession of property
 7 where the value of the property sought to be recovered does not exceed
 8 six thousand dollars (\$6,000). These jurisdictional limitations shall not
 9 be affected by interest and attorney's fees.

10 SECTION 3. [EFFECTIVE JULY 1, 2004] (a) **Notwithstanding**
 11 **IC 33-11.6-4-2, as amended by P.L.16-1995, SECTION 8, and**
 12 **except as provided in subsection (b), Marion County small claims**
 13 **courts shall have concurrent and original jurisdiction with the**
 14 **circuit and superior courts in all civil cases founded on contract in**
 15 **which the debt claimed does not exceed ten thousand dollars**
 16 **(\$10,000), not including interest or attorney's fees.**

17 (b) **Notwithstanding IC 33-11.6-4-3, as amended by P.L.16-1995,**
 18 **SECTION 9, Marion County small claims courts shall have**
 19 **original and concurrent jurisdiction with the circuit and superior**
 20 **courts in civil actions founded on a contract to rent or lease real**
 21 **property in which the debt claimed at the time of filing does not**
 22 **exceed six thousand dollars (\$6,000), not including interest and**
 23 **attorney's fees.**

24 (c) **This SECTION expires June 30, 2005.**

25 SECTION 4. [EFFECTIVE JULY 1, 2005] **IC 33-11.6-4-2 and**
 26 **IC 33-11.6-4-3, both as amended by this act, apply to all cases that**
 27 **are:**

28 (1) pending; or

29 (2) filed;

30 **in a Marion County small claims court after June 30, 2004.**

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